

FILED IN RECAP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

TAMMY RAE TRAXEL,

Petitioner,

Civil No. 07-815-TC

v.

ORDER

WILLIAM HOEFEL,

Respondent.

COFFIN, Magistrate Judge.

Petitioner's Motion to Amend/Correct Caption (#87) is allowed to the extent it is not moot. The court docket sheet reflects that William Hoefel is the respondent in this proceeding.

Petitioner's Motion for Reconsideration (#88) is denied.

Plaintiff's Motion to Dismiss Pending Motions (#90) is denied as moot. The motions petitioner seeks to "dismiss" have been denied.

Petitioner's Motion for Leave to request Discovery (#91), Motion for Evidentiary Hearing (#93) and Revised Motion to Expand the Record (#95) are denied for the reasons previously

set forth in the record. See, Order (#86).

Petitioner's Motion to Appoint Investigator (#97) is denied.

The court's Order (#86) sent to petitioner's address of record on April 15, 2010, was returned as "Undeliverable" on April 20, 2010.

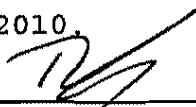
Pursuant to Local Rule 83.10, a party not represented by counsel has a "continuing duty to notify, the clerk's office whenever they change their mailing address or telephone number." When mail from the court to a party cannot be delivered due to the lack of a current address, and the failure continues for sixty (60) days, the court may dismiss the action. Local Rule 83.12.

Accordingly, it is ordered that petitioner shall file a notice of change of address by June 20, 2010, or show cause why this proceeding should not be dismissed for failure to prosecute. Petitioner is advised that failure to file a change of address or show cause as directed herein will result in the dismissal of this proceeding for lack of prosecution.

The Clerk of the Court is requested to re-set petitioner's First Amended Petition (#63) for the court's consideration on June 21, 2010.

IT IS SO ORDERED

DATED this 28 day of May, 2010.



Thomas M. Coffin
United State District Judge